

FLORIDA BOARD OF PODIATRIC MEDICINE GENERAL BOARD MEETING

DRAFT MINUTES

April 8, 2022 at 9:00 A.M. EST

GoToMeeting

<https://meet.goto.com/877742005>

By Phone

(Toll Free) (877) 309-2073 or (646) 749-3129
Access Code: 877-742-005



Mark S. Block, DPM, Chair

Kimberly Marshall, Executive Director

MEETING CALLED TO ORDER @ 9:00 a.m.
Roll Call Conducted by Eric Pottschmidt, Program Operations Administrator

BOARD MEMBERS PRESENT

Mark S. Block, DPM – Chair
Soorena Sadri, DPM – Vice-Chair
Robert Morris, PhD

BOARD MEMBER NOT PRESENT

Joseph Strickland, DPM, Chair - Excused Absence

BOARD STAFF PRESENT

Eric Pottschmidt, Program Operations Administrator

BOARD STAFF NOT PRESENT

Kimberly Marshall, Executive Director – Excused Absence

BOARD COUNSEL PRESENT

Donna McNulty, Special Counsel

DEPARTMENT OF HEALTH COUNSEL PRESENT

Matthew Witters, Chief Legal Counsel

REVIEW AND APPROVAL OF MINUTES - January 27, 2022 and February 21, 2022

Motion: by Dr. Block to approve the the minutes.

Second: by Dr. Sadri

Vote: Passed Unanimously

PROSECUTOR’S REPORT

Complaint Inventory as of January 5, 2022:

Number of complaints under review by a department prosecutor:	1
Number of complaints drafted for probable cause:	4
Number of complaints where probable cause has been found:	0
Number of complaints with an appeal pending:	0
Number of complaints in a hold status:	0
Number of complaints awaiting a final order:	0
<u>Other (Intake and Re-opened cases/supplementals):</u>	<u>0</u>
TOTAL Complaint Inventory:	5

Number of Complaints Older Than One Year, By Year Case Opened:

<u>Year and Older Cases Opened - Total</u>	<u>0</u>
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After discussion, the Board took the following action:

Motion: by Dr. Block to accept the report and to allow PSU to continue to prosecute one year and older cases.

Second: by Dr. Sadri

Vote: Passed Unanimously

APPLICATION REVIEWS (TS – 03:25 Minutes)

Evan Vieira, D.P.M. – Order Continuing Review of Application and Requiring Appearance

Evan Vieira was present and did not have legal representation.

Discussion: Evan Vieira, D.P.M. commented that the history before the Board was not criminal in nature and explained that it was a traffic charge decreased to a traffic ticket. Mr. Vieira also commented that his failure to disclose his history was an error in completing the application.

After discussion, the Board took the following action:

Motion: by Dr. Sadri to approve Evan Vieira’s application.

Second: by Dr. Morris

Vote: Passed Unanimously

Alpha Opese, D.P.M. - Order Continuing Review of Application & Requiring Appearance

Alpha Opese was present and did not have legal representation.

After discussion, the Board took the following action:

Motion: by Dr. Block to approve Alpha Opese’s application.

Second: by Dr. Sadri

Vote: Passed Unanimously

PETITION FOR VARIANCE OR WAIVER (TS – 10:15 Minutes)

Rule 64B18-17.005, F.A.C. Continuing Education Requirements After Initial Licensure

After discussion, the Board took the following action:

Motion: by Dr. Block to approve the petitions from Robby Cabellas, D.P.M. through Aly Slater, D.P.M. as noted below.

Second: by Dr. Sadri

Vote: Passed Unanimously

Robby Caballes, D.P.M.

Elaine Felix, D.P.M.

Christina Garcia, D.P.M.

Carmelita Harbeson, D.P.M.

Brian Mattison, D.P.M.

Eugene Pastorius, D.P.M.

Neil Patel, D.P.M.

Siavash Rostami, D.P.M.

Aly Slater, D.P.M.

Request for Informal Hearing Regarding the Notice of Intent to Deny Petition for Variance or Waiver,

John Hurchik, D.P.M. (TS – 13:15:00 Minutes)

John Hurchik, DPM was present and did not have legal representation. Donna McNulty, Special Counsel, presented the case summary.

Dr. Hurchik addressed the Board.

The Board discussed the following as a motion: To grant the petition for variance or waiver with the conditions of obtaining five (5) credit hours in risk management and attend one future live meeting of the board within two years (24 months).

After discussion, the Board took the following action:

Motion: by Dr. Block to approve Dr. Hurchik's petition for variance or waiver contingent upon conditions as noted above.
Second: by Dr. Sadri
Vote: Passed Unanimously

REPORTS (TS – 34:30:00 Minutes)

Chair's Report – Nothing to report.

Executive Director's Report

Legislative Update – No updates

Financial Report – Will be included with the minutes.

Board Counsel Report

DH-MQA 1138 Podiatric Physician Application for Licensure and Examination

DH-MQA 1026 Podiatric X-Ray Assistant Application for Initial Certification

No discussion. Applications will be left as is until a future need arises to amend criminal history language.

Rules Report was presented by Donna McNulty, Special Counsel.

Committee Reports

Disciplinary Compliance – No report.

Legislative – No report.

Malpractice Committee – No report.

Probable Cause Panel – No report.

Residency Program – No report.

CE Committee – No report.

Rules – No report.

Budget – No report.

Unlicensed Activity – No report.

RATIFICATIONS

Licenses Issued.

Motion: by Dr. Block to ratify Profession 2101 – Podiatric Physician.

Second: by Dr. Morris

Vote: Passed Unanimously

Motion: by Dr. Block to ratify Profession 2105 – Podiatric X-Ray Assistant.

Second: by Dr. Sadri

Vote: Passed Unanimously.

FYI - Florida Prescription Drug Monitoring Program (FDMP) Monthly Report – November through February. No discussion.

OLD BUSINESS/NEW BUSINESS – No old or new business.

NEXT MEETING DATE – June 24, 2022 – GoToMeeting.

PUBLIC COMMENTS – No comments were presented.

ADJOURNMENT @ 9:44 a.m.